

ESTTA Tracking number: **ESTTA603876**

Filing date: **05/13/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91211530
Party	Plaintiff J-Lynn Entertainment, LLC
Correspondence Address	NEADOM T MEDINA J LYNN ENTERTAINMENT LLC PO BOX 12365 Mill Creek, WA 98012 UNITED STATES tamar@j-lynnentertainment.com
Submission	Other Motions/Papers
Filer's Name	Neadom T Medina
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Signature	/Neadom T Medina/
Date	05/13/2014
Attachments	Op- posers_First_Set_Of_Admissions_to_Applicant_Opposition_91211530.pdf(3997 3 bytes)

- A. The term “Applicant” shall mean William T. Odonnell and/or any present or former servant, agent, attorney or other representative action on his behalf.
- B. The term “Opposer” shall mean J-Lynn Entertainment, LLC and any present or former officer, director, employee, servant, agent, attorney or other representative acting on its behalf, and shall included any predecessor or successor either within the United States or foreign country.
- C. The term “trademark” or “mark” includes trademarks, service marks, collective marks, certification marks, and trade names defined in 15 U.S.C. §1127.
- D. The term “in the U.S.” shall mean use in interstate and/or intrastate commerce in the United States.

- E. The term “Applicant’s Mark(s)” refers to the mark or marks as identified in U.S. Serial No. 85/785,996 for the mark ADVENTURES OF SHADOW and U.S. Registration No. 3,991,181 for the mark ADVENTURES OF SHADOW.
- F. The term “Opposer’s Claimed Mark” or “Opposer’s Mark” refers to the mark THE ADVENTURES OF SHADOW CAT as identified in U.S. Serial No.85/697,835.
- G. The term “you” shall mean the party or person to whom these interrogatories, admissions, and documents are propounded, all agents, employees, servants, attorneys, and all other representatives, and persons over whom the person or party to whom these interrogatories, admissions, and documents are propounded has the right to or does control or direct activities.
- H. The phrase “legal action” shall mean submission of correspondence to the Applicant or any third party not a party to this proceeding requesting that they cease use of mark, or institution of any legal proceeding in the United States Patent & Trademark Office, state, or federal court or agency.

REQUEST FOR ADMISSIONS

REQUEST NO.1: Admit that Applicant’s Marks were fraudulently stated on its applications to the USPTO for its first use in commerce in all four categories of commerce that the Applicant applied for.

RESPONSE:

REQUEST NO.2: Admit that Applicant’s Marks was abandoned for the category of goods and services related to water bottles.

RESPONSE:

REQUEST NO.3: Admit that Applicant’s Marks are subject to cancellation for non-use in commerce for the following classification of goods and services, IC 016. US 002 005 022 023 029 037 038 050. G & S: Series of fiction books; series of fiction books featuring the adventures of a dog character; non-fiction books in the field of dogs and historical landmarks; photo books; photo books, namely, books featuring

photographs, lithographs, prints and pull-out posters; coloring books; children's activity books; children's activity books with stickers; comic books; greeting cards, post cards and picture postcards; magazines concerning dogs; and calendars.

RESPONSE:

REQUEST NO.4: Admit that the Applicant's Mark for registration in the classification for clothing/t-shirts was fraudulently stated on the application that its first use in commerce was 8-29-2007 and that shirts were not manufactured and not being sold at the time the application was submitted.

RESPONSE:

REQUEST NO.5: Admit that Applicant has fraudulently altered and omitted materials supplied to the Opposer for the Opposer's first written discovery request.

RESPONSE:

REQUEST NO.6: Admit that the Applicant supplied fake specimens to the USPTO.

RESPONSE:

REQUEST NO.7: Admit that the Applicant carried out deceptive and fraudulent tactics to make it appear the Applicant's Marks were in use in commerce after the Opposer had filed cancellation and opposition proceedings against the Applicant.

RESPONSE:

REQUEST NO.8: Admit that the Applicant believes he has exclusive rights to words "Shadow" and "Adventures."

RESPONSE:

REQUEST NO.9: Admit that the Applicant's sole motivation for using its Mark is for intimidation, possessiveness, and litigation.

RESPONSE:

REQUEST NO.10: Admit that the Applicant has a disturbing obsession with his deceased dog and it is one of the causes for his unjustifiable behavior of intimidation with anyone using the words "Shadow" and "Adventures", fraud, and misuse of the Applicant's Mark which should lead to the Mark being cancelled and the Applicant being prohibited from registering future trademarks with the USPTO.

RESPONSE:

REQUEST NO.11: Admit that the Applicant uses his mark for trademark trolling and filing frivolous litigation against others.

RESPONSE:

REQUEST NO.12: Admit that the Applicant has attempted to login into Neadom T Medina's personal Facebook account to obtain information on the Opposer's Mark.

RESPONSE:

REQUEST NO.13: Admit that the Applicant interfered with the Opposer's fund raising campaigns and publically defamed the Opposer of stealing the Applicant's trademark on the Opposer's' fund raising campaigns.

RESPONSE:

Respectfully submitted on May 12, 2014

J-Lynn Entertainment, LLC
/Neadom T Medina/
Neadom T Medina
PO BOX 12365
Mill Creek, WA 98082
440-610-5827
tamar@j-lynnentertainment.com
Petitioner

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board

Registration No. 3682041

For the mark ADVENTURES OF SHADOW,

J-Lynn Entertainment, LLC,

Petitioner,

vs.

William T. Odonnell,

Registrant.

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Cancellation No. 92056491
Opposition No. 91211530

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I respectfully submitted a copy on this May 12, 2014, to the Trademark Trial and Appeal Board and to be served, via first class mail, postage prepaid, upon:

Matthew H. Swyers
The Trademark Company
344 Maple Avenue West, PMB 151
Vienna, VA 22180

/Neadom T Medina/
Neadom T Medina

Member
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